

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION**

**FREDDIE L. WALKER, SR.**  
**d/b/a Walker's Empire Professional**  
**Janitorial Service**  
  
**V.**  
  
**UNIVERSITY OF TEXAS MEDICAL**  
**BRANCH, ET AL.**

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**NO. 1:08-CV-417**

**ORDER ADOPTING UNITED STATES MAGISTRATE JUDGE'S REPORT**

The court referred this matter to the Honorable Earl S. Hines, United States Magistrate Judge, for pretrial proceedings pursuant to General Order 05-07 entered on July 31, 2008. The court has received and considered the report of the United States magistrate judge, who recommends that (1) the court dismiss *sua sponte* and without prejudice plaintiff's purported federal claims for failure to state a claim upon which relief can be granted and (2) the court dismiss all remaining claims governed by state law for lack of original, subject-matter jurisdiction. No objections have been filed. Further, the court's independent review confirms that the magistrate judge's findings, conclusions and analysis are correct.

Accordingly, the magistrate judge's report is hereby **ADOPTED**. It is further

**ORDERED** that, consistent with the magistrate's report and recommendation, plaintiff's purported federal claims are **DISMISSED** without prejudice. It is further

**ORDERED** that plaintiff's remaining state claims are **DISMISSED** without prejudice for lack of jurisdiction.

Final Judgment will be entered separately. The purpose of the referral having been served,  
it is further

**ORDERED** that the reference to the magistrate judge is **VACATED**.

So **ORDERED** and **SIGNED** this **7** day of **August, 2009**.

A handwritten signature in black ink, appearing to read "Ron Clark", is positioned above a horizontal line.

Ron Clark, United States District Judge